

## **Minutes of the Land Use, Parks and Environment Committee - August 19, 2003**

The meeting was called to order at 8:30 a.m. by Chair Kolb.

**Present:** Chair Walter Kolb, County Board Supervisors Pauline Jaske, James Jeskewitz, William Mitchell, Daniel Pavelko (arrived at 8:35 a.m.), Vera Stroud; **Absent:** Scott Klein

**Staff Present:** Legislative Policy Advisor Mark Mader, Legis. Associate Sandra Meisenheimer

**Also Present:** Parks and Land Use Director Dale Shaver, Senior Planner Kathy Moore, Environmental Health Mgr. George Morris, County Clerk Kathy Nickolaus, County Board Supervisor Rodell Singert

**Public Present:** Curtis and Barbara Beeler of Town of Merton, Attorney James Hammes (representing the Beeler's), Diane Horlomus of Elmbrook Humane Society of Brookfield

### **Approve Minutes of August 5, 2003**

**Motion:** Jeskewitz moved, second by Mitchell, to approve the minutes of 8/5/03. **Motion carried 5 – 0.**

Pavelko arrived at the meeting.

### **Read Correspondence**

Kolb referred to several letters and e-mails from Waukesha County residents concerning the Humane Officer Program.

### **Executive Committee Report**

Kolb reviewed items that were discussed and/or considered at the last meeting on August 18, 2003.

### **Update on Smart Growth**

Shaver distributed "Cooperative Land Use Proposal Distributed at Waukesha County Cooperation Council Meeting on July 29, 2002," which is a list of the towns, villages and cities as to their decision on participation. Shaver stated a cooperative agreement was forwarded to municipalities in the county with a year to act on it. It is a three-way agreement between the county, the community and the Regional Planning Commission which sets forth the elements of the planning process. To date 25 municipalities have signed on. Shaver anticipates bringing the group together this fall for the first time to talk over basic issues, i.e., how the process will unfold, what the timeline should be to collect information and update the plan. He said what will be suggested to the planning body is to stretch it out over a period of time – two to three years.

Jaske asked when does Smart Growth have to be completed? Shaver replied by the year 2010. An update for reconsideration by the County Board will most likely occur sometime in 2005 depending on how fast the demographic information is tabulated by the Regional Planning Commission.

### **Consider Proposed Ordinance: 158-O-052 Belchfire Property Acquisition**

It was requested that this item be held over. **Motion:** Pavelko moved, second by Jaske, to table Proposed Ordinance 158-O-052. **Motion carried 6 – 0.**

### **Consider Proposed Resolution: 158-R-005 Approval of Beeler Amendment to the Year 2002 Waukesha County Development Plan**

Moore was present to discuss the proposed resolution which has been before the committee two times before today. She reviewed the three conditions that were added and are detailed in the resolution. A long discussion continued. Jaske asked that all County Board Supervisors receive

copies of the Board of Adjustment Decision Sheet. Chair Kolb allowed Attorney Hammes (representing the Beeler's) to speak. He stated he has a problem with Condition #2 which was added by the Planning staff and not a recommendation of the Park and Planning Commission. He said it imposes a condition which the Beeler's have no control over because the cottage is on the Baumann property. He stated we'll live with it, but we'll come back here if the deal falls apart. Moore stated you'll have to go through the public hearing process to get a condition removed from the rezoning. Moore said it is an awkward condition that wasn't part of the Commission's recommendation and isn't part of this property.

**Motion:** Jaske moved, second by Jeskewitz, to delete Condition #2 (lines 75, 76 and 77) from Resolution 158-R-005. **Motion carried 6 – 0.**

**Motion:** Jaske moved, second by Jeskewitz, to approve Proposed Resolution 158-R-005 as amended. **Motion carried 6 – 0.**

### **Public Comment**

Rodell Singert (Waukesha County Board Supervisor) stated he went to the Executive Committee meeting yesterday regarding the ordinance pertaining to a Humane Officer Program. He stated the municipalities he talked to have indicated they had contracts with the local agencies and were satisfied with the services provided and satisfied with the fees. People would be happier going to their town or village clerks to get dog licenses rather than going to the county or some other place. The majority of people he talked to are happy with their contracts with HAWS or Elmbrook.

Diane Hormolous (Executive Director of Elmbrook Humane Society) spoke in favor of the Waukesha County Humane Officer Program. Their Society currently has 3 full time humane officers, and they serve the City of Brookfield, Village of Elm Grove and Village of Butler.

### **Consider Proposed Ordinance: 158-O-055 Amend the Waukesha County Code to Include Regulations for a Humane Officer Program**

Shaver and Morris were present to discuss the ordinance, which authorizes a \$2 increase to the county surcharge on dog license fees in 2004 to fund increased demand for services to address animal neglect and abuse issues. In its 2004 budget proposal, the Parks and Land Use Department will request that one full-time Humane Animal Specialist position be abolished and two on-call extra help Humane Animal Specialist positions no longer be funded. The department will also request that two full-time Humane Officer positions be created and one on-call extra help Humane Officer position be funded in the Parks and Land Use 2004 budget to provide equipped and certified staff to meet the current needs.

Morris stated several presentations have been made relative to the Humane Animal Program in Waukesha County and the conversion to meet the requirements of Chapter 173 of the Wisconsin State Statutes. At the January 21, 2003 Land Use Committee meeting, the committee asked by motion for an ordinance to address the new responsibilities under the statute and to cover the costs. Morris distributed and reviewed a power point presentation titled "Summary Information for a Waukesha County Humane Officer Program." He stated that this is a summary of the activities over the last 3 years. He went on to cover the following areas, page by page, as the committee asked questions and discussed: Current Waukesha County Humane Animal Program; Wisconsin State Statute, Chapter 173; and Humane Officer Program Survey of Municipalities.

Kathy Nickolaus, County Clerk, stated she had a meeting with the municipalities on August 4 regarding a dog licensing program on the Internet to try to automate how dog license fees are collected. This, however, is separate from what is being discussed today and has nothing to do with the additional \$2 fee the county would receive. Shaver said the \$2 fee would be collected through the licensing program that the County Clerk and local municipalities administer.

Shaver and Morris continued with their presentation and covered the following areas: Study Group Participants which were created to evaluate and recommend changes to Humane Animal Program, Study Group Recommendations, Other Alternatives Considered, What It Would Involve, Benefits of Coverage, Benefits of Professional Staff, and Benefits of Proactive Humane Officer Program.

Shaver stated the real issue, in his opinion, relative to the county contracting is the county through the contract cannot walk away from any liability. From a staff standpoint, there is tremendous value regarding animal neglect cases in having the day-to-day control of the program, i.e., knowing what staff is doing; knowing what the course of action will be before getting involved in a situation.

**Motion:** Jaske moved, second by Stroud, to approve Proposed Ordinance 158-O-055.

Shaver commented that there is a timing issue here and at some point we (county) will have to make a decision and inform the communities. We have to let them know that we're in the business and they'll have to work with us to add the \$2 fee or we're going to have to let them know the county won't be providing this service starting 1/01/04. Shaver said his concern is he doesn't want the program unless the fee is in place and the position is created because 24/7 service cannot be expected from an on-call person any longer.

Kolb said considering the balance of whether the program is really needed versus the cost, he now believes the county should go forward at this time, so he will be changing his vote to "yes" (he voted "no" at the Executive Committee yesterday). **Motion carried 4 – 2; Pavelko and Jeskewitz voting no.**

#### **Consider Southeast Area Land & Water Conservation Area Tour being Held in Elkhorn, Wisconsin on September 9, 2003**

The committee discussed attending the tour although it is on the same day as a regular committee meeting at which time capital projects will be taken up. Jaske offered to attend the meeting. The minutes will show that she is absent but attending another meeting relating to county business.

Jeskewitz left the meeting at 11:34 a.m.

**Motion:** Pavelko moved, second by Mitchell, to approve attendance for Supervisor Jaske to attend the 2003 Southeast Area Tour in Elkhorn, Wisconsin on 9/9/03. **Motion carried 5 – 0.**

**Motion to adjourn:** Pavelko moved, second by Jaske, to adjourn the meeting at 11:38 a.m.  
Motion carried 5 – 0.

Respectfully submitted,

Pauline T. Jaske  
Secretary

/sm